

RID (Rule Interpretation Decision)

(Use additional sheets as necessary)

Type of RID		Requested Response Time		DSD Assigned RID #	83
Customer RID	<input type="checkbox"/>	24 hours	<input type="checkbox"/>		
Internal Staff RID	<input checked="" type="checkbox"/>	5 working days	<input type="checkbox"/>		
		As time available	<input checked="" type="checkbox"/>		

1. Project Name: Certificate of Occupancy Fee for Sexually Oriented Businesses

2. Project Number: None

(Plat #, Zoning Case #, etc.)

3. Project Street Address: None

(If not available nearest intersection of two public streets)

4. Applicant Name: Planning and Development Services Staff

5. Applicant Address: 1901 S. Alamo

6. Applicant Telephone #: (210) 207-6535

7. Applicant e-mail Address: NA

8. Rule in Question:

\$575 fee for each application for a certificate of occupancy for a sexually oriented business

9. Applicant's Position: NA

(Including date position presented and name of city staff point of contact)

Date: **Contact:** **Contact Telephone #:**

10. Staff Finding:

(Including date of finding and name of city staff person formulating finding)

Date: 8/20/2009 **Contact:** Terry Kannawin **Contact Telephone #:** (210) 207-6535

Section 35-C107 provides for a \$575 fee to be paid to the City of San Antonio with the submission of each application for a certificate of occupancy for a sexually oriented business to pay the cost of review and verification of the accuracy of the application, survey maps, ownership information, and conformance with other certificate requirements.

Planning & Development Services changed its submittal requirements for sexually oriented businesses to require the submission of an affidavit stating all locational requirements of the UDC have been met for the proposed location of the sexually oriented business, the names of all owners of the property, and, if a corporate owner, the

name and street address of the corporate president and registered agent for service. In addition, the department requires applicants to submit a certified survey map prepared by a state licensed surveyor or state licensed engineer that shows the required minimum distances from properties with protected uses or protected zoning. As such, the department no longer needs to perform special field visits and other research to verify the accuracy of the application and therefore payment of the additional \$575 fee is no longer required.

11. Staff Position:

(Including date position presented internally and name of city staff person formulating position)

Date: 08/20/2009 **Contact:** Terry Kannawin **Contact Telephone #:** (210) 207-6535

Staff finds payment of the \$575 fee to cover the cost of review and verification of the accuracy of the sexually oriented business' certificate of occupancy application, survey maps, ownership information, and conformance with other certificate requirements is no longer required. The payment of the standard Certificate of Occupancy fee covers the department's costs of services provided.

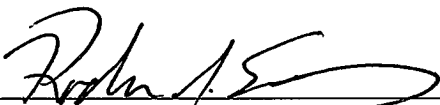
12. Departmental Policy or Action:

(Including date of presentation of policy or action to the applicant, the effective date of the policy or action, schedule for pursuing an amendment to the code if required and signature of the Director of Development Services)

Date of policy/action: 08/20/2009 **Effective Date of policy/action:** 08/20/2009

The Director finds that the following policy and UDC interpretation is valid and to be followed by Planning and Development Services staff.

Staff shall charge applicants for a sexually-oriented business the same fee as any new business applying for a certificate of occupancy.



Roderick Sanchez, AICP, CBO

Director of Planning & Development Services Department